

MAY. 19. 2004 3:12PM

BSKB COM

NO. 1809 P. 1

650 Town Center Drive, Suite 820  
Costa Mesa, CA 92626-1925  
Phone: (714) 708-8555  
Fax: (714) 708-8565

RECEIVED  
CENTRAL FAX CENTER

MAY 19 2004

**Birch, Stewart,  
Kolasch & Birch, LLP**

**Fax**

OFFICIAL

<b>To:</b>	Mail Stop Missing Parts, USPTO	<b>From:</b>	Leonard R. Svensson
<b>Fax:</b>	(703) 872-9306	<b>Pages:</b>	5 including cover sheet
<b>Phone:</b>		<b>Date:</b>	May 19, 2004
<b>Your Ref.:</b>	Application No. 10/723,908	<b>Our Ref.:</b>	0459-0752P
<b>Re:</b>	Response to Notice to Comply	<b>CC:</b>	

☐ Urgent    ☐ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited. If your receipt of this transmission is in error, please notify this firm immediately by collect call to (714) 708-8555, and send the original transmission to us by return mail at the address above.

• **Comments:**

Attached for filing are the following documents:

1. Response To Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures
2. Copy of the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures

PATENT  
0459-0752P

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICES

Applicant: ANDERSEN, Peter et al.

Conf.: 5514

Appln. No.: 10/723,908

Group: 1645

Filed: November 26, 2003

Examiner: SHAHNAN SHAH, K.

For: TUBERCULOSIS VACCINE AND DIAGNOSTICS BASED ON THE  
MYCOBACTERIUM TUBERCULOSIS ESAT-6 GENE FAMILYRECEIVED  
CENTRAL FAX CENTER

MAY 19 2004

OFFICIAL

**Response To Notice To Comply With Requirements For Patent Applications Containing  
Nucleotide Sequence And/Or Amino Acid Sequence Disclosures**Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-0145

May 19, 2004

Sir:

This is a response to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures mailed on March 19, 2004. Enclosed herewith for filing is a copy of the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Pursuant to 37 CFR 1.821(e), Applicants request that the computer readable form of the sequence listing on file in application no. 09/615,947 filed July 13, 2000 be used in lieu of submitting a duplicate computer readable form of the sequence listing in the present application. Application No. 09/615,647 is the parent of the instant application. The disk copy of the Sequence Listing, on file in application no. 09/615,947, and the paper copy submitted in the instant application on November 26, 2003, are identical except that the disk copy lacks formatting. The Sequence Listing in no way introduces new matter into the specification.

Appln. No.: 10/723,908

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH &amp; BIRCH, LLP

By:

*Kalpana Reddy #46,183*  
Leonard R. Svensson  
Registration No. 30,330

P.O. Box 747  
Falls Church, VA 22040-0747  
(714) 708-8555

LRS/KR/lmt

Attachment

Certificate of Transmission  
I hereby Certify that this correspondence is being  
facsimile transmitted to the Patent and  
Trademark Office:  
On \_\_\_\_\_  
Date \_\_\_\_\_  
Signature \_\_\_\_\_  
Typed or printed name of person \_\_\_\_\_

Certificate of Transmission  
I hereby Certify that this correspondence is being  
facsimile transmitted to the Patent and  
Trademark Office:  
On May 19 2004  
Date  
Signature [Signature]  
Typed or printed name of person signing certificate Bonnie M. Tillman



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/723,908	11/26/2003	Peter Andersen	0459-0752P

02292  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

CONFIRMATION NO. 5514

## FORMALITIES LETTER



\*OC000000012143344\*

Date Mailed: 03/19/2004

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents

MAY. 19. 2004 3:13PM

BSKB COM

NO. 1809

P. 5

Page 2 of 2

P.O. Box 1450

Alexandria VA 22313-1450

---

*A copy of this notice MUST be returned with the reply.*

B. Habtenoid

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE